

November 17, 2005



Marlene H. Dortch
Secretary
Federal Communications Commission
TW-A325
445 Twelfth St., SW
Washington, DC 20554

Re: *Notice of Ex parte* presentation in ET Docket Nos. 04-186, 04-151

Dear Ms. Dortch:

On November 15, 2005, Harold Feld of Media Access Project, Michael Calabrese of New America Foundation, Paul Kolodzy, and Mike Marcus of Marcus Spectrum Solutions met with Fred Campbell, adviser to Chairman Martin, with regard to the above captioned proceedings.

With regard to Docket No. 04-186, the meeting participants discussed the New America Foundation reply comments filed in this proceeding and the New America Foundation policy papers available at <http://www.newamerica.net/index.cfm?pg=event&EveID=519>. With regard to Docket No. 04-151, the participants observed that the Petitions for Reconsideration raised no new issues not already rejected by the Commission in its initial *Order*. Furthermore, the continued delay in this proceeding and accompanying uncertainty discourages the investment of capital and development of new products by those such as Cisco and CUWN that support the rules.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206, this letter is being filed with your office. If you have any questions, please do not hesitate to contact me.

Respectfully Submitted,

Harold Feld
Senior Vice President

cc:
Fred Campbell